

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference ep043218	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/EP2004/003218	International filing date (day/month/year) 26.03.2004	Priority date (day/month/year) 07.04.2003	
International Patent Classification (IPC) or national classification and IPC			
Applicant BUNDESDRUCKEREI GMBH			

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>5</u> sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>	
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input checked="" type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>	

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/003218

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-19 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-29 _____ received by this Authority on 05.11.2004 with
- nos.* _____ received by this Authority on telefax
- ☒ the drawings:
- sheets 1/2-2/2 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/003218

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-29	YES
	Claims		NO
Inventive step (IS)	Claims	1-29	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-29	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
<u>Novelty, PCT Article 33(2):</u>			
<p>Document D1 (DE 100 53 264 A) is considered the closest prior art. This document discloses a wavelength-selective bleaching or destruction of individual colouring agents, in such a way that when a plurality of individual colouring agents destroyed in this way interact, a new colour is created by subtractive colour mixing.</p>			
<p>Document D2 (WO 02/068205 A) provides an elimination reaction for producing a contrast and is restricted to products and organic substances for consumption.</p>			
<p>Document D3 (WO 01/09230 A) discloses a method for the photochemical monomolecular blackening of a thermoplastic elastomeric material by the introduction of corresponding pigments into the elastomer.</p>			
<p>Document D4 (WO 02/096662 A) concerns a (CD) writing method wherein the optical density of a colour layer is modified.</p>			

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The subject matter of independent claims 1, 17 and 29 differs from document D1 since the carrying body presents a stoichiometric mixture of the starting substances intended for a bimolecular reaction.

Inventive step (PCT Article 33(4)):

The present application therefore aims to solve the problem of ensuring a high degree of security (see page 9, lines 12-14, of the application).

The subject matter of claims 1, 17 and 29 involves an inventive step within the meaning of PCT Article 33(3):

- (a) the subject matter of independent claims 1, 17 and 29 solves the above security-related problem (see the present examples 1-7);
- (b) the same security-guarantee problem is also described in the closest prior art document D1; however, this document offers nothing to suggest to a person skilled in the art that the problem of security might be solved by the use of a carrying body coated with a stoichiometric mixture of starting substances for a bimolecular reaction; and
- (c) none of the other search report citations, that is to say, documents D2, D3 and D4, describes security documents.

Claims 2-16 and 18-28 are dependent claims.

Consequently, the present application satisfies the requirements of PCT Article 33(2) to (4) because the

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/003218

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

subject matter of claims 1-29 is novel over the prior art
(PCT Rule 64.1 to 64.3) and involves an inventive step.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/003218

Box No. VII **Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

Contrary to PCT Rule 5.1(a)(ii), the description does not cite documents D1, D2, D3 and D4 or indicate the relevant prior art disclosed therein.